

CHAPTER 195.

COMPENSATION OF SHORT-HAND REPORTERS.

AN ACT to Amend Sections 181 and 3777 of the Code, Relating to H. F. 141.
Duties and Compensation of Short-hand Reporters.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Section 181 of the Code is hereby amended by striking out all of said section after the word "witnesses" in the fifth line, and inserting in lieu thereof the following words: in civil cases, upon the request of either party thereto, and in all criminal cases which are tried upon indictment, and in other criminal cases and such other matters as the judge may direct; but the judge shall not so direct in any criminal case, unless it shall satisfactorily appear to him that the interests of the state or defendant require the separating of the testimony in said case: *Provided*, The defendant in any criminal case may have the testimony therein reported without an order of the judge, by first paying or securing to said reporter his fees for reporting therein.

Code, § 181
amended.

When employed

Proviso: de-
fendant may
have reported
by paying
reporter.
Code, § 3777.

SEC. 2. Section 3777 of the Code is hereby amended so that the same will read as follows:

SEC. 3777. Short-hand reporters shall receive compensation as follows: For each day actually in attendance in court under the order of the judge, such sum as may be fixed by the judge, not exceeding six dollars per day, to be audited and *and* paid by the county upon the certificate of the judge of the court; but the judge shall not order the attendance of said reporter except during that part of the term when, in his judgment, the reporting of testimony will be required, and he shall discharge said reporter from farther attendance at each term as soon as, in his judgment, the reporting of testimony will not be farther required for such term; and for making transcripts of his original notes, for each one hundred words, six cents; but where such transcripts are desired in any civil case, the fees therefor shall be paid by the party desiring the same, and the amount allowed such reporter for reporting testimony in any case shall, in all instances, except where the defendant in a criminal case is acquitted, be taxed as a part of the costs in the case: *Provided*, That when the defendant in any criminal cause, who shall have perfected an appeal from a judgment against him, presents to the judge satisfactory proof, by affidavit or otherwise, that he is unable to pay for such transcript, the court, if in the opinion of the judge justice will be thereby promoted, may order said transcript to be made at the expense of the county and the original notice of any testimony taken in any case shall be filed in the office of the clerk of the

Compensation.

Not to exceed
\$6.00 per day.

Order attend-
ance.

Making
transcript.

Proviso: in
case of appeal.

Proviso: reporter can make transcript after expiration of term.

court and become a part of the record in said case; and said notes or any transcript thereof duly certified by the reporter of said court shall be admissible in any case in which the same are material and competent to the issue therein, with same force and effect as depositions and subject to the same objections so far as applicable; and said original notes, or the transcript thereof, or any part thereof, may be referred to in any bill of exceptions, and when duly transcribed and certified, shall be inserted therein on appeal; and upon demand of any person for a duly certified transcript of any designated portion of the original notes of testimony in any case, it shall be the duty of said reporter to transcribe the portion so designated and duly certify the same, upon payment of fees therefor: *Provided*, That when the reporter taking the notes in any case in court has ceased to be the official short-hand reporter of that court, any transcript by him made therefrom and duly certified by him under oath as a full, true, and complete transcript of said notes, shall have the same force and effect as though certified in the same manner by the official short-hand reporter of said court.

Approved, March 27, 1880.

CHAPTER 196.

RELATIVE TO ANNOTATED CODE OF WM. E. MILLER.

Sub. H. F. 499. AN ACT Relating to Evidence.

Be it enacted by the General Assembly of the State of Iowa:

When compared and certified to by the secretary of state, shall be received in evidence.

SECTION 1. That the "Revised and Annotated Code of Iowa," prepared by William E. Miller, and to be published by Mills & Co., of Des Moines, Iowa, when so published, and certified by the secretary of state to embrace the Code of Iowa of 1873, as amended by subsequent statutes, and the general and permanent statutes of the fifteenth, sixteenth, seventeenth, and eighteenth general assemblies, shall be receivable in evidence in all the courts of this state, with like effect as if published by the state.

Approved, March 27, 1880.